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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,456	03/12/2004	Christopher A. Meek	MS149547.2 / MSFTP289USA	7701
27195 7590 04/16/2008 AMIN, TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114				
EXAMINER TAKLE, MESEKER				
ART UNIT 2175		PAPER NUMBER		
NOTIFICATION DATE 04/16/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/799,456

Applicant(s)

MEEK, CHRISTOPHER A.

Examiner

MESEKER TAKELE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE-US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to the Amendment filed 01/09/2008.
2. Claims 1-43 are pending in this application. Claims 1, 12, 27 and 43 are independent claims. In the instant Amendment, claims 1, 9, 10, 12, 32, 33-40 and 43 were amended.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1- 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kudoh et al. ("Kudoh" US Patent No.: 2001/0042087) in view of Applicant Admitted Prior Art ("AAPA" US Pub No.: 2004/0177123) in further in view of Leonardos (US Pub No.: 2002/0069212).

As to claim 1, Kudoh discloses a method for assisting object organization (abstract) comprising:

in response to a first object being subjected to an action, the first object having a first controlling attribute updating the first list of a plurality of controlling associated with the first controlling attribute of the first object according to a sort criterion that is a function of the performed action, each list the first list is one of a plurality of controlling attribute-specific lists having a defined association with a controlling attribute and having a plurality of entries ordered according to the sort criterion and the entries providing

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provide alternatives as to how the action can be performed objects having the first controlling attribute (Figure 2 (element 500), Element (530), Figure 4 (element 60), Figure 8 (element 20), column, 5 line, 4, column, 29 lines, 56-67, see Figure 31); and,

in response to the plurality of controlling-attribute specific lists being invoked as to via a second object, the second object having a second controlling attribute, displaying a second list of the plurality of controlling attribute-specific lists associated with the second controlling attribute of the second object to provide alternatives as to how the action can be performed upon the second object (column, 6 lines, 8-19, abstract, column, 14 lines, 65-66 and column, 15, lines, 1-7).

Although Kudoh shows substantial features of the claimed invention, he does not explicitly show

(a) the first controlling attributes having an associated attribute-specific list.

(b) a sort criterion related to the action and having a plurality of entries ordered according to the sort criterion

AAPA discloses

(a) the first controlling attributes having an associated attribute-specific list (Paragraph [0002], [0004] and [0005]).

(b) a sort criterion related to the action and having a plurality of entries ordered according to the sort criterion (paragraph [0002], [0004] and [0005]).

It would have been obvious to one of ordinary skill in the art to modify Kudoh's teaching at the time of the invention was made with the teaching of AAPA.

The motivation to combine provides users with relevant possible alternatives as to how an action can be performed relative to a given object.

Kudu further does not explicitly disclose updating the first list.

Leonardos from the similar field of endeavor disclose updating the first list (paragraph [0078], [0080] and [0106]).

It would have been obvious to one of ordinary skill in the art to modify Kudoh's teaching at the time of the invention was made with Leonardos teaching.

The motivation to combine allows users to select a file from the electronic folder and make changes thereto by editing and/or updating it.

As to claim 2, Kudoh discloses further initially comprising initializing the plurality of controlling attribute-specific lists (Figure 2 and Figure 24).

As to claim 3, Kudoh discloses wherein each of the first object and the second object corresponds to an email (column, 6 lines, 9-10).

As to claim 4, Kudoh discloses wherein the controlling attribute of each of the first object and the second object corresponds to a sender of the email (Figure 10 (element 71c) and Figure 3).

As to claim 5, Kudoh discloses wherein each of the first object and the second object corresponds to a file (column, 1 line, 26 and Figure 31 (element 3101)).

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As to claim 6, Kudoh discloses wherein the controlling attribute of each of the first object and the second object corresponds to a creator of the file (column, 1 lines, 56-61).

As to claim 7, Kudoh discloses wherein the action is movement to a folder (column, 2 lines, 9- 14).

As to claim 8, Kudoh discloses wherein the action is setting an object property (Figure 37).

As to claim 9, AAPA discloses discloses, wherein the sort criterion is how recently the listed_alternatives has have been performed (paragraph [0002]).

As to claim 10, AAPA discloses, wherein the sort criterion is how frequently the listed_alternatives have been performed (paragraph [0002]).

As to claim 11, Kudoh discloses wherein the method is performed by execution of a computer program by a processor from a computer-readable medium (column, 12 lines, 17-18).

Claim 12 is similar in scope to claim 1, and is therefore rejected under similar rationale.

However Kudoh does not explicitly disclose initializing at least one attribute-specific list.

Leonardos from the same field of endeavor disclose initializing at least one attribute-specific list (example, client that receives and sends e-mails, and organizes them into a format that may be directly accessed from the user's electronic folder, paragraph [0032]),

It would have been obvious to one of ordinary skill in the art to modify Kudoh's electronic mail cataloging and retrieving system at the time of the invention was made with format as presented by Leonardos.

The motivation to combine allows users to access any of their files from their electronic folders, and users can move between any of the files. Furthermore, the management system includes an electronic mail (e-mail) client that receives and sends e-mails, and organizes them into a format that may be directly accessed from the user's electronic folder.

As to claim 13, Kudoh discloses the at least one attribute-specific list comprising folders (column, 2 lines, 9-14).

As to claim 14, Leonardos discloses the at least one attribute-specific list initialized to be empty (paragraph [0032]).

As to claim 15, Kudoh discloses the at least one attribute-specific object comprising types of computer files (Figure 39 (element 2900 and 2902)).

As to claim 16, Leonardos discloses the at least one attribute-specific list initialized based on a controlling attribute (paragraph [0032]).

As to claim 17, Kudoh discloses the controlling attribute based on at least the creator of the attribute-specific object (column, 1 lines, 56-61) and Figure 3).

As to claim 18, Kudoh discloses the controlling attribute based on at least the recipient on the attribute-specific object (Figure 4).

As to claim 19, Leonardos discloses further comprising sorting the attribute-specific list based on at least one sort criterion (paragraph [0016], [0033], [0061] and [0104]).

As to claim 20, Leonardos disclose the sort criterion corresponds to a level of priority (paragraph [0016], [0033], [0061] and [0104]).

As to claim 21, Leonardos discloses the sort criterion corresponds to a time at which the attribute-specific object was subject to the action (paragraph [0016], [0033], [0061] and [0104]).

Claim 22 is similar in scope to claim 10, and is therefore rejected under similar rationale.

As to claim 23, Kudoh discloses further comprising appending additional attribute-specific objects to an existing attribute-specific list (column, 6 lines, 1-6).

As to claim 24, Kudoh discloses the action corresponds to movement of at least one attribute-specific object between attribute-specific lists (column, 2 lines, 9-14).

As to claims 25, Kudoh discloses the at least one attribute-specific object corresponds to email (abstract).

As to claim 26, Kudoh discloses the action corresponds to setting a property on at least one attribute-specific object (Figure 33).

Claim 27 is similar in scope to claim 1, and is therefore rejected under similar rationale.

However Kudoh does not disclose an initializing component to initialize a plurality of objects subject to one or more controlling attribute.

Leonardos from the same field of endeavor disclose an initializing component to initialize a plurality of objects subject to one or more controlling attribute (example, client that receives and sends e-mails, and organizes them into a format that may be directly accessed from the user's electronic folder, paragraph [0032]),

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It would have been obvious to one of ordinary skill in the art to modify Kudoh's electronic mail cataloging and retrieving system at the time of the invention was made with format as presented by Leonardos.

The motivation to combine allows users to access any of their files from their electronic folders, and users can move between any of the files. Furthermore, the management system includes an electronic mail (e-mail) client that receives and sends e-mails, and organizes them into a format that may be directly accessed from the user's electronic folder.

Claim 28 is similar in scope to claim 13, and is therefore rejected under similar rationale.

Claim 29 is similar in scope to claim 14, and is therefore rejected under similar rationale.

Claim 30 is similar in scope to claim 15, and is therefore rejected under similar rationale.

Claim 31 is similar in scope to claim 25, and is therefore rejected under similar rationale.

Claim 32 is similar in scope to claim 17, and is therefore rejected under similar rationale.

As to claim 33, AAPA discloses, the one or more controlling attributes based on at least the recipient of the object (paragraph [0002], [0004] and [0005]).

As to claim 34, Leonardos discloses further comprising a sorting component (paragraph [0016], [0033], [0061] and [0104]).

As to claim 35, Leonardos discloses the sorting component utilizing one or more sort criteria (paragraph [0016], [0033], [0061] and [0104]).

Claim 36 is similar in scope to claim 20, and is therefore rejected under similar rationale.

As to claim 37, Leonardos discloses the one or more sort criteria based on at least on the time at which the object was subject to the function (paragraph [0016], [0033], [0061] and [0104]).

Claim 38 is similar in scope to claim 10, and is therefore rejected under similar rationale.

As to claim 39, Kudoh discloses further comprising an appending component to append one or more additional objects to the plurality of objects (column, 6 lines, 1-6).

As to claim 40, Kudoh discloses, the appending component utilizing the one or more controlling attributes to append the one or more additional objects to the plurality of objects (column, 6 lines, 1-6).

As to claim 41, Kudoh discloses the function being movement of at least one object between the pluralities of objects (column, 2 lines, 9-14).

As to claim 42, Kudoh discloses the function being setting at least one property on the object (Figure 33).

Claim 43 is similar in scope to claim 1, and is therefore rejected under similar rationale. AAPA further disclose the ordering criterion is a function performed action (paragraph [0002], [0004] and [0005]).

Response to Arguments

5. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MESEKER TAKELE** whose telephone number is **(571)270-1653**. The examiner can normally be reached on Monday - Friday 7:30AM-5:00PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **WILLIAM BASHORE** can be reached on **(571) 272-4088**. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. T./

Examiner, Art Unit 2175

/William L. Bashore/
William L. Bashore
Primary Examiner
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